

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NEILL SAMUELL,

Case No.: 2:18-cv-00111-APG-DJA

Plaintiff

Order Granting Motion to Dismiss and Dismissing Case for Failure to Prosecute

V.

LT. OWENS, et al.,

Defendants

[ECF No. 79]

I previously denied the motion for summary judgment filed by defendants Paul Araujo and Alejandro Avelar. ECF No. 77. At that time, plaintiff Neill Samuell was anticipating his release from custody and he requested an extension of time to litigate this case. I granted his request and directed that by May 31, 2021, Samuell update his address with the court and contact the defendants to prepare a proposed joint pretrial order. *Id.* at 7. Samuell has not updated his address and he has not contacted the defendants. Araujo and Avelar thus move to dismiss. ECF No. 79.

15 Samuell has had ample opportunity to appear, update his address, and pursue this
16 litigation, but he has not done so. I therefore grant the defendants' motion to dismiss because
17 Samuell has failed to prosecute this action.

18 I THEREFORE ORDER that the defendants' motion to dismiss (ECF No. 79) is
19 **GRANTED**. The clerk of court is instructed to enter judgment in favor of defendants Paul
20 Araujo and Alejandro Avelar and to close this case.

DATED this 9th day of July, 2021.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE